



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

NOV - 7 2012

REPLY TO THE ATTENTION OF:

WN-16J

Paul Novak, Chief
Permits and Compliance Section
Ohio Environmental Protection Agency
P.O. Box 1049
Columbus, Ohio 43216-1049

Re: U.S. Environmental Protection Agency Review of NPDES Permit, Warren Steel Holdings,
Warren, Ohio, Permit No. OH0011207

Dear Mr. Novak:

The U.S. Environmental Protection Agency has reviewed the National Pollutant Discharge Elimination System Permit (NPDES) public notice dated October 10, 2012, fact sheet, and supporting documents for the Warren Steel Holdings Facility. Based on our review to date, EPA would not object to issuance of the permit provided the following change, which was agreed to by Eric Nygaard, is incorporated into the final issued permit.

Part I.A.1, Final Effluent Limitations and Monitoring Requirements for Outfall 005, as proposed, includes a monthly average limitation of 0.22 kg/day for total recoverable silver. Due to an apparent mathematical error, this limitation is off by an order of magnitude and should be changed to 0.022 kg/day.

Our position could change if the following occurs.

- a. Prior to the actual date of issuance of a Proposed Permit, an effluent guideline or standard is promulgated which is applicable to the permit and which would require revision or modification of a limitation or condition set forth in the Draft Permit;
- b. A variance is granted and the Permit is modified to incorporate the results of that variance;
- c. There are additional revisions to be incorporated into the Permit which have not been agreed to by EPA; or
- d. EPA learns of new information, including as the result of public comments, that causes EPA to reconsider its position.

Subject to the above conditions, the permit may be issued in accordance with the Memorandum of Agreement and pursuant to the Clean Water Act. EPA also recommends that you consider and address the comments presented below in order to improve the clarity and accuracy of the permit:

- A. The cover page of fact sheet, the application number is incorrect. Ohio EPA agreed to change it to OH0011207 instead of OH0136247 and re-post it on the web.
- B. The water flow diagram should indicate the locations of Outfall 005 and Internal Outfall 601.
- C. The fact sheet or the water flow diagram should identify the flow rate at the following points referenced by the water flow diagram: intake water from Mahoning River and City water cooling.
- D. EPA evaluated the permit action for possible environmental justice (EJ) concerns and found that the area has an Environmental Justice Strategic Enforcement Assessment Tool (EJSEAT) ranking of 3 on a scale of 1 to 10, where 1 is high EJ priority and 10 is low EJ priority. Therefore, we recommend that Ohio EPA factor EJ in the current renewal and consider EJ in future NPDES permit actions for this facility. Information on incorporating EJ into the permitting process is found at :
<http://www.epa.gov/compliance/environmentaljustice/resources/policy/plan-ej-2014/plan-ej-permitting-2011-09.pdf>

When the Proposed Permit is issued, please forward one copy and any significant comments received during any public notice period to this office at the above address, attention David Soong, NPDES Programs Branch. If you have any technical questions related to EPA's review, please contact David Soong of my staff. David Soong can be reached by telephone at (312)886-0136 or by Email at soong.david@epa.gov.

Thank you for your cooperation during the review process and your thoughtful consideration of our comments.

Sincerely,



Kevin M. Pierard, Chief
NPDES Programs Branch

cc: Jacob Howdyshell, OEPA
Eric Nygaard, OEPA